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7 Rec'd PCT/PTO 26 DEC 2001

#6

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):

Zabeau et al.

Serial No: 09/830,802

Filed: April 30, 2001

Title: Restricted Amplicon  
Analysis

**TRANSMITTAL OF EXECUTED DECLARATION**

**Commissioner for Patents  
Washington, D.C. 20231**

**Attention: BOX MISSING PART**

Sir:

Submitted herewith is an executed Declaration for filing in the above-identified application, in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) issued by the Patent and Trademark Office on October 12, 2001.

**CERTIFICATE OF MAILING (37 CFR 1.8)**

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on October 18, 2001 in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

  
Nabeela R. McMillian

Also enclosed is a copy of the Notice together with our checks in the amount of \$270.00 in payment of the additional claim fee and the \$130.00 surcharge fee for late submission of the declaration.


The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. A copy of this request is enclosed.

Please refund any overpayment to Marshall, Gerstein & Borun at the address below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-6300

By:

  
Nabeela R. McMullan  
Reg. No: 43,363

October 18, 2001

12/31/2001 UEDUVIJE 00000057 09830802

01 FC:154	130.00 OP
02 FC:966	270.00 OP

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830,802	N.V. Methexis	29314/34158A

INTERNATIONAL APPLICATION NO.
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PCT/IB99/01958

I.A. FILING DATE	PRIORITY DATE
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11/09/1999

Nabeela R McMillian  
 Marshall O'Toole Gerstein Murray & Borun  
 6300 Sears Tower  
 233 South Wacker Drive  
 Chicago, IL 60606-6402

**CONFIRMATION NO. 2002  
 371 FORMALITIES LETTER**



Date Mailed: 10/12/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Request for Immediate Examination

RECEIVED  
 OCT 12 2001  
 MAIL ROOM

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Docketed: 12/12/01

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$270 as a non-small entity, including any required multiple dependent claim

fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$270 for a Large Entity:

- Total additional claim fee(s) for this application is \$270
  - \$270 for 31 total claims over 20.

Docketed: 12/12/01

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/830,802	PCT/IB99/01958	29314/34158A



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830802	METHEXIS	N 29314/34158A
NABEELA R MCMILLIAN MARSHALL O'TOOLE GERSTEIN MURRAY & BORUN 6300 SEARS TOWER 233 SOUTH WACKER DRIVE CHICAGO, IL 60606 6402		INTERNATIONAL APPLICATION NO. PCT/IB99/01958
		I.A. FILING DATE 09 NOV 99
		PRIORITY DATE 09 NOV 98

DATE MAILED:

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.  | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.  | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).   | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.   | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.  |  |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any.     |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. |  |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation  
☒ PCT/DO/EO/920

Deborah Williams *DW*

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